IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 23708 of 2004

Between:

1 Damera Rama Mohan Rao, S/o.Late D.V.Narasimha Rao,
R/o.Tondangi Village, Tondangi Mandal,
East Godavari District.
2 Damera Hari Prasad Rao, S/o.D.V.Narasimha Rao,
R/o.Tondangi Village, Tondangi Mandal,
East Godavari District.
3 D.M.M.S.Prakash Rao, S/o.Late D.V.Narasimha Rao,
R/o.Tondangi Village, Tondangi Mandal,
East Godavari District.
4 D.Harendranath, S/o.D.V.Narasimha Rao,
R/o.Tondangi Village, Tondangi Mandal,
East Godavari District.
5 D.Vijaya Kumar, S/o.Late D.V.Narasimha Rao,
R/o.Tondangi Village, Tondangi Mandal,
East Godavari District.
6 D.V.Narasimha Rao, S/o.Late Venkata Krishna Rao,
R/o.Tondangi Village, Tondangi Mandal,
East Godavari District.

... PETITIONERS

AND

1 The District Collector, East Godavari, Kakinada
2 The Revenue Divisional officer, Peddapuram, Peddapuram Mandal,
East Godavari District.
3 The Mandal Revenue officer, Tondangi, Tondangi Mandal, East Godavari

District.
4 The Mandal Surveyor, Tondangi Mandal, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the connected records from the respondents and issue an appropriate writ, order or direction, preferably a writ in the nature of Mandamus directing the Mandal Revenue officer, Tondangi, the respondent No.3 herein to consider petitioners representation/application dated: 4-4-2004 for the grant of Record of Rights and pattadar pass Books in petitioners names to the land of Ac.6.51 cents, in R.S.No.7 situated at Tondangi Village, Tondangi Mandal, East Godavari District and pass appropriate orders within a reasonable time.

Counsel for the Petitioner: MR.K.RANGA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a writ of Mandamus to direct the third respondent to consider the representation of the petitioners dated 04-04-2004 for grant of Record of Rights and Pattadar Pass Books in petitioners names over an extent of land of Ac.6.51 cents, situated in R.S.No.7, Tondangi Village, Tondangi Mandal, East Godavari District.

2. Petitioners claim that they were granted pattas for the lands in an extent of Ac.14.51 cents situated in R.S.No.7 of Tondangi Village, Tondangi Mandal, East Godavari District. It is stated that petitioners filed separate declarations in the year 1975 under the A.P. Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (for short 'the Act') and were allotted Ac.2.42 cents of land each in R.S.No.7 of the said Village. Thereafter, when some people belonging to the Scheduled Caste requested the petitioners to give some land in the said R.S. number, to construct houses, petitioners agreed to give them about Ac.8.00 cents of land out of Ac.14.51 cents in R.S.No.7 of

Tondangi Village. It is stated that when the then Tahasildar requested the petitioners to handover the possession of Ac.8.00 cents of land in R.S.No.7, promising them to pay compensation, petitioners handed over the same and accordingly pattas in the said land were issued to the landless poor. It is further submitted that when some villagers of Tondangi, made an attempt to occupy the remaining land of Ac.6.51 cents in R.S.No.7, claiming that it is a poramboke land, petitioners made a representation to the District Collector and other Revenue Officers seeking Record of Rights and Pattadar Pass Books to them in an extent of Ac.6.51 cents in R.S.No.7 of Tondangi Village. As no action has been taken on the said representation, petitioners made another representation dated
04-04-2004 to the Revenue Divisional Officer – second respondent requesting him to issue Record of Rights and Pattadar Pass Books, who in turn, requested the Mandal Revenue Officer – third respondent to enquire into the matter and take necessary action. It is alleged that no action has yet been taken on the said representation. Therefore, he filed the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue, and inasmuch as the representation dated 04-04-2004, made by the petitioner is pending before the third respondent – Mandal Revenue Officer, both of them agreed for disposal of the writ petition with the following directions:

4. The third respondent – Mandal Revenue Officer, is directed to consider the representation of the petitioner dated 04-04-2004 and dispose of the same, expeditiously, within four months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of at the admission stage.

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N.V. RAMANA, J

December 21, 2004

MRR/NSR

Copy to:

1 The District Collector, East Godavari, Kakinada
2 The Revenue Divisional officer, Peddapuram, Peddapuram Mandal, East Godavari District.
3 The Mandal Revenue officer, Tondangi, Tondangi Mandal, East

Godavari District.
4 The Mandal Surveyor, Tondangi Mandal, East Godavari District.

5 Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad

(OUT)

6 Two C.D. Copies.